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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

PAULA WALKER,

Plaintiff,

Case No. 15-cv-00097-KAW

STIPULATION AND ORDER FOR
PLAINTIFF'S MOTION FOR ATTORNEY'S
FEES PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT, 28 U.S.C. §
2412

Magistrate Judge: Hon. Kandis A. Westmore

-vs-

CAROLYN W. COLVIN,
ACTING COMMISSIONER OF SOCIAL SECURITY,

Defendant.

IT IS HEREBY STIPULATED AND AGREED by the parties, through their attorneys,

Howard D. Olinsky acting on behalf of Harvey P. Sackett, attorney for Plaintiff, and Amanda
Roth, Assistant Regional Counsel, attorney for defendant, that the defendant shall pay the sum of
\$5,324.03 for services performed, incurred in connection with this action in full satisfaction of

Stipulation and Order Plaintiff's Motion for
Attorneys Fee's Pursuant to the Equal Access

to Justice Act, 28 U.S.C. § 2412

1 Plaintiff's claim pursuant to the Equal Access to Justice Act (EAJA), Title 28 U.S.C. ' 2 2412(d) for services performed in connection with this action. This amount represents 3 compensation for all legal services rendered on behalf of Plaintiff by counsel in connection 4 with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

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6 After the Court issues an order for EAJA fees to Plaintiff, the government will 7 consider the matter of Plaintiff's assignment of EAJA fees to counsel Olinsky Law Group. 8 Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598, 130 S.Ct. 2521, 177 L.Ed.2d 91 (2010), the 9 ability to honor the assignment will depend on whether the fees are subject to any offset 10 allowed under the United States Department of the Treasury's Offset Program. After the 11 order for EAJA fees is entered, the government will determine whether they are subject to 12 any offset.

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14 Fees shall be made payable to Plaintiff, but if the Department of the Treasury 15 determines that Plaintiff does not owe a federal debt, then the government shall cause the 16 payment of fees, expenses and costs to be made directly to **Olinsky Law Group**, pursuant to 17 the assignment executed by Plaintiff.

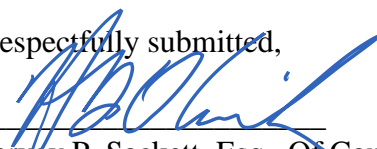
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20 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA 21 attorney fees, and does not constitute an admission of liability on the part of Defendant 22 under the EAJA or otherwise. Payment of the agreed amount shall constitute a complete 23 release from, and bar to, any and all claims that Plaintiff and/or Olinsky Law Group may 24 have relating to EAJA attorney fees in connection with this action.

25 Stipulation and Order Plaintiff's Motion for 26 Attorneys Fee's Pursuant to the Equal Access

1 This award is without prejudice to the rights of Olinsky Law Group, to seek Social
2 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions
3 of the EAJA.

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5 DATE: 12-20-2016

Respectfully submitted,


Harvey P. Sackett, Esq., Of Counsel,
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Howard D. Olinsky, Esq.
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12 s/ Armand D. Roth
ARMAND D. ROTH, ESQ.
13 Special Assistant United States Attorney
14 E-signed with express permission.

15 PURSUANT TO THE STIPULATION, IT IS SO ORDERED

16
17 DATED 12/21/16


HONORABLE KANDIS A. WESTMORE
18 MAGISTRATE JUDGE
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25 Stipulation and Order Plaintiff's Motion for
26 Attorneys Fee's Pursuant to the Equal Access